GOVERNMENT OF INDIA
FINANCE
LOK SABHA

UNSTARRED QUESTION NO:4155
ANSWERED ON:23.03.2001
NARCOTICS CONTROL BUREAU
RAM JEEVAN SINGH

Will the Minister of FINANCE be pleased to state:

(a) whether the Narcotics Control Bureau set up in, 1986as the apex coordinating agency under the Narcotics Drugs and Psychotropic Substances Act has no powers to investigate any of the drug pedalling cases booked over the year;

(b) if so, the reasons therefor stating the implications involved in dealing with the pending and decided cases based on the NCB`s investigations; and

(c) the manner in which Government proposes to solve the cases of drug pedalling booked by NCB?

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI GINGEE N. RAMACHANDRAN)

(a) : As per Ministry of Finance, Department of Revenue Notification nos.6/86 to 8/86 [F.No.664/75/86-Opium] published in the Gazette of India (Extraordinary) dated 01.01.86,Narcotics Control Bureau is empowered to conduct investigationsin drug related cases. However, the Delhi High Court in itsjudgement dated 13.12.2000 in the case of Kulwant Singh Vs State has observed that NCB is not empowered to perform functions under Sections 41, 42, 53 or 67 of the NDPS Act.

(b)&(c): Government has filed an appeal alongwith the stayapplication in the Supreme Court of India against the judgement of the Delhi High Court.The apex court has been pleased to grant stay. Hence, as on date there is no change in the status of the pending and decided cases based on NCB`s investigations and those booked by the NCB. The matter being subjudice, noremedial action is proposed to be taken at this stage.